

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JANUARY 31, 2008**

Invocation: Fr. Tom Franks, San Jose Catholic Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, January 31, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:16 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member Martinez' second on a 7-0 vote.

1. Approval of the Austin City Council minutes from the January 16, 2008 Special Called Meeting and the January 17, 2008 regularly scheduled meeting.
The minutes from the Special Called Meeting of January 16, 2008 and the regular meeting of January 17, 2008 were approved.
2. Approve issuance of a rebate in the amount of \$98,655.91 to Hewlett-Packard for the installation of a 500-ton and a 200-ton chiller and an Uninterruptible Power Supply (UPS) system at their newly-constructed data center at 14608 1/2 Single Trace, Austin, Texas. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion approving the issuance of a rebate to Hewlett-Packard was approved.
3. Approve issuance of a rebate in the amount of \$119,839.35 to Hill Country Galleria for the installation of high efficiency air conditioning and reflective roof coating at 4005 FM 620, Austin, Texas, as part of a newly-constructed shopping mall. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion approving the issuance of a rebate to Hill Country Galleria was approved.
4. Approve issuance of a rebate in the amount of \$130,522.54 to HPI Real Estate Services for installation of high efficiency lighting, lighting controls, air conditioning, a cooling tower and reflective roof coating at their office building at 4417 Westlake Drive in Austin, Texas. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion approving the issuance of a rebate to HPI Real Estate Services was approved.

5. Approve issuance of a rebate in the amount of \$72,186.50 to Querencia for the installation of high efficiency air conditioning at 2500 Barton Creek Boulevard, Austin, Texas, as part of a newly-constructed assisted living facility. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion approving the issuance of a rebate to Querencia was approved.
6. Authorize negotiation and execution of an Interlocal Agreement between the TEXAS FOREST SERVICE, a member of the Texas A & M University System and an agency of the State of Texas, and the City of Austin, Texas to engage in prescribed fire planning and implementation, for the maintenance, enhancement and protection of wildlife habitat. This action does not require budget allocation or funding. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an interlocal agreement between the Texas Forest Service and the City of Austin was approved.
7. Approve an ordinance amending the Fiscal Year 2007-2008 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to adopt a budget for the Austin Downtown Public Improvement District (PID), with a beginning balance of \$618,446, Revenue of \$2,379,261, and Requirements of \$2,279,261. Funding is available through \$2,111,544 in 2008 assessments (at an approximate 96% collection rate); \$24,829 in collections from 2007, \$92,888 interest accrued in the PID Account and late payments; and a \$150,000 annual contribution from the City of Austin (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water and Wastewater Utility Fund).
Ordinance No. 20080131-007 was approved.
8. Approve an ordinance amending the Fiscal Year 2007-2008 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance 20070910-003 to appropriate funds to adopt a budget for the East Sixth Street Public Improvement District (PID) with a Beginning Balance of \$26,095, Revenue of \$86,408 and Requirements of \$82,408. Funding of \$1,586 in interest accrued in the PID account and late payments, and funding in the amount of \$41,772 is available through 2008 assessments (at an approximate 91% collection rate), a \$43,500 contribution from the City of Austin, reduced by a \$450 shortfall in 2007 collections.
Ordinance No. 20080131-008 was approved.
9. Authorize negotiation and execution of a professional services agreement with CONNIE ARISMENDI, Austin, TX, for artwork in the amount not to exceed \$106,250. Funding is available from the Holly Good Neighbor Fund, from Austin Energy, in accordance with the Art in Public Places Ordinance. Recommended by the Art in Public Places Panel. To be reviewed by the Austin Arts Commission on January 28, 2008.
The motion authorizing the negotiation and execution of a professional services agreement with Connie Arismendi was approved.
10. Approve an ordinance to establish classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 20070910-009. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Fire Department.
Ordinance No. 20080131-010 was approved.
11. Approve a resolution authorizing the negotiation and execution of professional services agreements for legislative representation services each for a one year term and for a total combined amount not to exceed \$987,000. Funding is available in the Fiscal Year 2007-2008 Operating Budgets of the Government

Relations Office, the Solid Waste Services Department, the Austin Water Utility, Austin Energy and the Law Department.

Resolution No. 20080131-011 was approved.

12. Approve an amendment to the outside counsel contract with Foley & Lardner, LLP, Orlando, FL., for legal counsel concerning advice and representation of the Department of Aviation regarding leases and other agreements related to the development of a new low cost terminal at Austin-Bergstrom International Airport, in the amount of \$20,000, for a total contract amount not to exceed \$144,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department.
The motion approving the amendment to the outside counsel contract with Foley & Lardner, LLP was approved.
13. Approve an amendment to the professional service agreement with National Economic Research Associates, Inc. (NERA), Austin, TX, in the amount of \$31,000, for a total contract amount not to exceed \$457,380, for economic consulting related to the City's Minority-Owned and Women-Owned Business Enterprise Program (MBE/WBE), including conducting and implementing an updated availability and disparity study of minority-owned and women-owned businesses. Funding in the amount of \$31,000 is available in the Fiscal Year 2007-2008 Operating Budgets of various General Fund and Enterprise Fund Departments.
The motion approving an amendment to the professional service agreement with National Economic Research Associates, Inc. was approved.
14. Approve the transfer of \$444,768 to the U.S. Department of Housing and Urban Development (HUD) to fund the City's Line of Credit. Funding is available in the HUD Grant Fund.
The motion approving the transfer of \$444,768 to the U.S. Department of Housing and Urban Development (HUD) was approved.
15. Authorize negotiation and execution of an Interlocal Agreement with the Austin Independent School District (A.I.S.D.) for the use of Martin Middle School facilities.
The motion authorizing the negotiation and execution of an interlocal agreement with the Austin Independent School District (A.I.S.D.) was approved.
16. Approve a resolution authorizing the application for grant funding from the State of Texas, Texas Parks and Wildlife Department, Recreation Grants Branch, in the amount of \$30,000 for the Austin Police Department project entitled "Community Outdoor Outreach Program." Funding is available in grant funding from the State of Texas, Texas Parks and Wildlife Department, Recreation Grants Branch, for the grant period May 1, 2008 to April 30, 2009. No match is required. The City of Austin, as sponsor, commits funds and resources in the amount of \$30,000 which is a percentage of the existing salary of the APD Community Outreach Lieutenant position.
Resolution No. 20080131-016 was approved.
17. Approve a resolution authorizing the fee simple acquisition of Lot 18, Block J, Yarrabee Bend Section 4, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 77, Pages 131-132, of the Plat Records of Travis County, Texas, located at 7103 Firefly Drive, Austin, Texas from Fred K. Baldocchi and Janet L. Baldocchi now known as Janet Lee O'Neal for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$108,000 for the land and improvements, \$40,900 in owner assisted relocation benefits and \$50,000 with American with Disability eligibility, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$208,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-017 was approved.

18. Approve a resolution authorizing the fee simple acquisition of Lot 38, Block K, Yarrabee Bend Section 4, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 77, Pages 131-132, of the Plat Records of Travis County, Texas, located at 7106 Firefly Drive, Austin, Texas from Karen Frances Balzer for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$120,000 for the land and improvements and \$5,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$135,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-018 was approved.

19. Approve a resolution authorizing the fee simple acquisition of Lot 21, Block J, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7203 Firefly Drive, Austin, Texas from Gerald A. and Connie Bordelon for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$120,000 for the land and improvements and \$5,000 in owner assisted relocation benefits, \$50,000 Americans with Disabilities Act eligibility plus moving related expenses not to exceed \$10,000, for a total amount not to exceed amount of \$185,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-019 was approved.

20. Approve a resolution authorizing the fee simple acquisition of Lot 35, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7201 Glowworm Circle, Austin, Texas from Gina B. Celedon for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$100,000 for the land and improvements and \$42,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$152,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-020 was approved.

21. Approve a resolution authorizing the fee simple acquisition of Lot 13, Block N, of Onion Creek Forest Section 2, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 68, Page 54, of the Plat Records of Travis County, Texas, located at 5707 Vine Hill Drive, Austin, Texas from Timothy D. and Ida Mary Jeter for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$44,000 for the land and improvements and \$54,400 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$108,400. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-021 was approved.

22. Approve a resolution authorizing the fee simple acquisition of Lot 17, Block H, Onion Creek Forest, Section 4, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 68, Page 49, of the Plat Records of Travis County, Texas, located at 7003 S. Pleasant Valley, Austin, Texas from Rad and Veronique B. Kessler for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$137,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

Resolution No. 20080131-022 was approved.

23. Approve a resolution authorizing the fee simple acquisition of Lot 31, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7100 Glowworm Circle, Austin, Texas from Robin Lau for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$133,000 for the land and improvements, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$143,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-023 was approved.
24. Approve a resolution authorizing the fee simple acquisition of Lot 33, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7105 Glowworm Circle, Austin, Texas from Enrique Morales for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$125,000 for the land and improvements, plus moving related expenses not to exceed \$10,000 for a total amount not to exceed \$135,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-024 was approved.
25. Approve a resolution authorizing the fee simple acquisition of Lot 13, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7230 Firefly Drive, Austin, Texas from Jose Navarro for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$114,000 for the land and improvements and \$25,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$149,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
This item was postponed to February 14, 2008.
26. Approve a resolution authorizing the fee simple acquisition of Lot 28, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7106 Glowworm Circle, Austin, Texas from Hilario Reyes for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$119,000 for the land and improvements and \$31,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$160,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-026 was approved.
27. Approve a resolution authorizing the fee simple acquisition of Lot 37, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7205 Glowworm Circle, Austin, Texas from Mary Lee Robertson for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$123,000 for the land and improvements and \$25,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$158,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-027 was approved.

28. Approve a resolution authorizing the fee simple acquisition of Lot 22, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7212 Firefly Drive, Austin, Texas from Teresa Sanchez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements and \$32,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$169,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
This item was postponed to February 14, 2008.
29. Approve a resolution authorizing the fee simple acquisition of Lot 21, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7214 Firefly Drive, Austin, Texas from Harry Lee Slaton for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$146,000 for the land and improvements and \$21,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$177,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
This item was postponed to February 14, 2008.
30. Approve a resolution authorizing the fee simple acquisition of Lot 12, Block K, Yarrabee Bend Section 1, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 74, Page 37, of the Plat Records of Travis County, Texas, located at 7232 Firefly Drive, Austin, Texas from Vonnice S. Smith for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements and \$38,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$175,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-030 was approved.
31. Approve a resolution authorizing the fee simple acquisition of Lot 20, Block J, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7201 Firefly Drive, Austin, Texas from Derek and Diana L. Sparks for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$115,000 for the land and improvements and \$10,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$135,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-031 was approved.
32. Approve a resolution authorizing the fee simple acquisition of Lot 19, Block J, Yarrabee Bend Section 4, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 77, Pages 131-132, of the Plat Records of Travis County, Texas, located at 7105 Firefly Drive, Austin, Texas from William Stidham for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$128,000 for the land and improvements and \$31,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$169,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-032 was approved.

33. Approve a resolution authorizing the fee simple acquisition of Lot 34, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7107 Glowworm Circle, Austin, Texas from Larry J. Terry for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$140,000 for the land and improvements and \$27,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$177,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-033 was approved.
34. Approve a resolution authorizing the fee simple acquisition of Lot 36, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7203 Glowworm Circle, Austin, Texas from Irma Rocha and Eduardo F. Trevino for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$125,000 for the land and improvements and \$34,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$169,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-034 was approved.
35. Approve a resolution authorizing the fee simple acquisition of Lot 7, Block J, Onion Creek Forest, Section 2, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 68, Page 54, of the Plat Records of Travis County, Texas, located at 5403 Thornwood Drive, Austin, Texas from Benito Trevino for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$63,000 for the land and improvements plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$73,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080131-035 was approved.
36. Approve a resolution authorizing the fee simple acquisition of Lot 20, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7216 Firefly Drive, Austin, Texas from Dora M. Griffin for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$154,000 for the land and improvements and \$31,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$195,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
This item was postponed to February 14, 2008.
37. Approve additional consideration to the Purchase and Sale Agreement with Kenny Dryden to increase the non-refundable earnest money payment in the amount of \$150,000 for a total amount not to exceed \$195,000, related to the acquisition of approximately 35 acres located along F.M. 2769, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Department.
The motion approving the additional consideration to the purchase and sale agreement with Kenny Dryden was approved.
38. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 - South 2nd Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program, for a 334 square foot temporary working space easement out of Lot 1, Block A, of The Crescent on

Bouldin Creek, a subdivision in Travis County, Texas, in the amount of \$3,170. The owner of the needed property interest is Texas American Headquarters, LLC, a Texas limited liability company. The property is located at 801 Barton Springs Road, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20080131-038 was approved.

39. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 - South 2nd Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 2,337 square foot permanent wastewater line easement and a 2,590 square foot temporary working space easement out of Lot 8, Block 3, South Heights, a subdivision in Travis County, Texas, in the amount of \$88,685. The owner of the needed property interests is Joseph M. Calderoni. The property is located at 613 West Gibson Street, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20080131-039 was approved.

40. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 - South 2nd Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 3,557 square foot permanent wastewater line easement, a 3,598 square foot temporary working space easement, and a 14,381 square foot temporary staging area and material storage site easement out of Lots 6 & 7 in the Mrs. A. J. Pace Subdivision, and part of that certain 30 foot wide alley dedicated in the Subdivision Plat of the Mrs. A. J. Pace Subdivision in Austin, Travis County, Texas, in the amount of \$177,052. The owner of the needed property interests is R. Sue Long. The property is located at 612 West Monroe Street, Austin, Travis County, Texas. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20080131-040 was approved.

41. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 1 - South 2nd Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 1,869 square foot permanent wastewater line easement, a 4,382 square foot temporary working space easement, and a 2,308 square foot permanent drainage easement out of Lot 17, of Convenient Courts, a subdivision in Travis County, Texas, in the amount of \$36,216. The owners of the needed property interests are Hoit K. Frierson and Joel C. Frierson. The property is located at 715 Post Oak Street, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20080131-041 was approved.

42. Approve a resolution authorizing the filing of eminent domain proceedings for the Govalle 4 - Waller Pedernales Wastewater Improvement Project, a portion of the Austin Clean Water Program, to acquire a 3,511 square foot permanent wastewater line easement, and a 1,908 square foot temporary working space easement out of Lot 11 in the Jones Subdivision of Outlot No. 25, Division "O", Austin, Texas, in the amount of \$36,410. The owner of the needed property interests is Bishop John C. McCarthy and his successors in office. The property is located at 108 Mildred Street, Austin, Travis County, Texas. Funding is included in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.

Resolution No. 20080131-042 was approved.

43. Approve the negotiation and execution of an 18-month lease with one six-month extension option with the possibility of additional future renewals for 2,224 square feet of office space located at 700 Lavaca Suite 520, from TRAVIS REALTY CORP., Austin TX, for the Communication and Technology Management Web Redesign Project, in an amount not to exceed \$94,081.28 for the initial lease term and \$32,106.08 for the extension option, for a total amount not to exceed \$126,187.36. Funding in the amount of \$36,152.20 is available in the Fiscal Year 2007-2008 Approved Operating Budget of Financial and Administrative Services Department, Communication and Technology Management. Funding for the remaining 11 months of the initial lease term and the extension option is contingent upon available funding in future budgets.
The motion approving the negotiation and execution of a lease from Travis Realty Corp. for the Communication and Technology Management Web Redesign Project was approved.
44. Approve the negotiation and execution of a 60-month lease renewal with the possibility of additional future renewals for 52 parking spaces for the Waller Creek Center Building of the Austin Water Utility located at 701-703 East 9th Street, from ANN PARSONS BURATTI REAL ESTATE TRUST, Austin, Texas, in an amount not to exceed \$182,289.12 for the 60 month lease renewal term. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Water Utility Department. Funding for the remaining lease term period is contingent upon available funding in future budgets. Recommended by the Water and Wastewater Commission.
The motion approving the negotiation and execution of a lease renewal for parking spaces from Ann Parsons Buratti Real Estate Trust was approved.
45. Approve the negotiation and execution of a 60-month lease renewal for 8,850 square feet of office and laboratory space for the Laboratory Services Division of the Water Utility Department, located at 14050 Summit Drive, Suite 121, from EQUASTONE AUSTIN I, L.P., Austin TX, in an amount not to exceed \$671,546.64. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Water Utility Department. Funding for the lease term period is contingent upon available funding in future budgets. Recommended by the Water and Wastewater Commission.
The motion approving the negotiation and execution of a lease renewal for office and laboratory space from Equastone Austin I, L.P. was approved.
46. Authorize negotiation and execution of an interlocal agreement between the City of Austin and the Texas Department of Transportation for construction and relocation of City water lines and wastewater lines in connection with the TxDOT bridge replacement project on FM 2222 at Lakewood Drive (Bull Creek) in the amount of \$1,711,488 plus a \$403,653 contingency, for a not to exceed amount of \$2,115,141. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by Water and Wastewater Commission.
The motion authorizing the negotiation and execution of an interlocal agreement between the City of Austin and the Texas Department of Transportation was approved.
47. Authorize negotiation and execution of an Amended and Restated Restrictive Covenant with the Austin Museum of Art, Inc. (AMOA) for the "Old Courthouse and Jail Block" on the official map of the City of Austin and being the city block bounded by West 3rd and 4th Streets and Guadalupe and San Antonio Streets.
The motion authorizing the negotiation and execution of an amended and restated restrictive covenant with the Austin Museum of Art, Inc. (AMOA) was approved.
48. Authorize execution of a construction contract with CASH CONSTRUCTION COMPANY, LTD., Pflugerville, Texas for the Austin Clean Water Program (ACWP) East 7th Street Wastewater Improvements in the amount of \$3,267,088 plus a \$163,354 contingency, for a total contract amount not

to exceed \$3,430,442. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts with 5.38% MBE and 1.75% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract with Cash Construction Company, Ltd. was approved.

49. Authorize execution of a construction contract with BENITEZ CONSTRUCTION, INC. (MBE/MH 48.42%), Manor, Texas for the ACWP Group 2 Inverted Siphons-Waynesburg Cove and Bridgewater Drive in the amount of \$1,251,403.75 plus a \$62,570.00 contingency, for a total contract amount not to exceed \$1,313,973.75. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals of 2.40% MBE and 3.99% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract with Benitez Construction, Inc. was approved.

50. Authorize execution of a construction contract with EAS CONTRACTING, LP of Carrollton, Texas for Austin-Bergstrom International Airport Airfield Lighting Improvements and Airfield Pavement Rehabilitation in the amount of \$6,061,369 plus a \$300,000 contingency, for a total contract amount not to exceed \$6,361,369. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Aviation Department. One bid received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 11.43% DBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.

The motion authorizing the execution of a construction contract with EAS Contracting, LP was approved.

51. Authorize negotiation and execution of a professional services agreement with each of the following ten firms: MWM DESIGN GROUP (WBE/FH), AUSTIN, TX; RAYMOND CHAN AND ASSOCIATES (MBE/MA), AUSTIN, TX; HEJL LEE AND ASSOCIATES, INC. (MBE/MA), AUSTIN, TX; KURKJIAN ENGINEERING CORPORATION (WBE/FH), AUSTIN, TX; CAS CONSULTING AND SERVICES, INC. (MBE/MA), AUSTIN, TX; K FRIESE AND ASSOCIATES, INC. (WBE), AUSTIN, TX; LOC CONSULTANTS, LLP, AUSTIN, TX; I T GONZALEZ ENGINEERS (MBE/MH), AUSTIN, TX; HALFF ASSOCIATES, INC., AUSTIN, TX AND PBSANDJ, AUSTIN, TX for engineering design services for the Small Diameter Water and Wastewater Pipeline Replacement/Rehab Design Rotation List (2008-2011) for an estimated period of three years or until financial authorization is expended in an amount not to exceed \$3,500,000 with a total of ten agreements not to exceed \$3,500,000 to be distributed equally (\$350,000 per each ranked firm) among the ten firms. Funding is available in the Capital and/or Operating Budget of the Austin Water Utility for which the services are needed. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 1.7% African American; 9.5% Hispanic; 5.3% Native/Asian American and 14.2% WBE subconsultant participation. Recommended by the Water and Wastewater Commission.

The motion authorizing the negotiation and execution of a professional services agreement with the following firms was approved: MWM Design Group (WBE/FH); Raymond Chan and Associates (MBE/MA); Hejl Lee and Associates, Inc. (MBE/MA); Kurkjian Engineering Corporation

(WBE/FH); CAS Consulting and Services, Inc. (MBE/MA); K Friese and Associates, Inc. (WBE); LOC Consultants, LLP; IT Gonzalez Engineers (MBE/MH); Halff Associates, Inc.; and PBS and J,

52. Authorize award, negotiation, and execution of a 24-month requirements service contract with ATLANTA BUILDING MAINTENANCE, Austin, TX for janitorial services at Austin Energy Department locations including power plants in an estimated amount not to exceed \$211,840, with three 12-month extension options in an estimated amount not to exceed \$105,920 per extension option, for a total estimated contract amount not to exceed \$529,600. Funding in the amount of \$70,613 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 16 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation, and execution of a requirements service contract with Atlanta Building Maintenance was approved.

53. Authorize award, negotiation, and execution of 36-month requirements supply contracts with TEXAS ELECTRIC COOPERATIVE, Georgetown, TX; PRIESTER MELL & NICHOLSON, INC., Austin, TX; POWER SUPPLY, Austin, TX; TECHLINE, INC., Austin, TX; USA WIRE & CABLE, Austin, TX; STUART C. IRBY, Austin, TX; and KBS ELECTRICAL DISTRIBUTORS, Austin, TX for the purchase of critical materials and supplies in a combined estimated amount not to exceed \$69,328,292, with two 36-month extension options in a combined estimated amount not to exceed \$76,261,122 for the first extension option, and a combined estimated amount not to exceed \$83,887,235 for the second extension option, for a total combined estimated contract amount not to exceed \$229,476,649. Funding in the amount of \$15,406,288 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 28 months of the original contract period and extension options is contingent upon available funding in future budgets. Seven qualified statements from seven qualification statements received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award, negotiation and execution of requirements supply contracts with Texas Electric Cooperative, Priester Mell and Nicholson, Inc., Power Supply, Techline, Inc., USA Wire and Cable, Stuart C. Irby, and KBS Electrical Distributors was approved.

54. Authorize award and execution of a 24-month requirements service contract with HYDROCHEM INDUSTRIAL SERVICES, INC, Deer Park, TX, for boiler and heat exchanger cleaning services in an estimated amount not to exceed \$668,179, with one 24-month extension option in an estimated amount not to exceed \$668,179, for a total estimated contract amount not to exceed \$1,336,358. Funding in the amount of \$222,727 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 16 months of the original contract period and extension option is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore; no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements service contract with Hydrochem Industrial Services, Inc. was approved.

55. Approve ratification of Amendment No. 8 to the 12-month requirements service contract with SOLAR TURBINES, Houston, TX; TRANS CANADA TURBINES, Calgary, Alberta, Canada; WOOD

GROUP/PRATT WHITNEY, Windsor Locks, CT; and GE PACKAGED POWER, INC., Houston, TX, for the repair of gas turbines to increase the current amount of the contract in an estimated amount not to exceed \$2,200,000, for a revised total estimated contract amount not to exceed \$9,749,000. Funding is available in the Fiscal Year 2007-2008 Approved Operating Budget of Austin Energy. Critical Business Need. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion approving the ratification of amendment number 8 to the requirements service contract with Solar Turbines, Trans Canada Turbines, Wood Group/Pratt Whitney, and GE Packaged Power, Inc. was approved.

56. Authorize award and execution of an 18-month requirements service contract with TEXAS METER & DEVICE COMPANY, Waco, TX, for automated electric meter change out services in an estimated amount not to exceed \$3,258,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements service contract with Texas Meter and Device Company was approved.

57. Authorize award and execution of a 24-month revenue producing contract with UTILITY RECYCLING SERVICES, Wills Point, TX, for the sale of scrap electrical meters with estimated proceeds of \$493,360. Highest bid of six bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a revenue producing contract with Utility Recycling Services was approved.

58. Authorize award and execution of a 24-month requirements supply contract with CUES, INC., Orlando, FL for Cues repair parts for the Austin Water Utility in an estimated amount not to exceed \$120,000, with three 12-month extension options in an estimated amount not to exceed \$60,000 per extension option, for a total estimated contract amount not to exceed \$300,000. Funding in the amount of \$45,000 is available in the Fiscal Year 2007-2008 Operating Budget for the Austin Water Utility. Funding for the remaining 15 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a requirements supply contract with Cues, Inc. was approved.

59. Authorize award and execution of a 24-month requirements supply contract with DXI INDUSTRIES, INC., Houston, TX, to provide liquid sulfur dioxide for the Austin Water Utility in an estimated amount not to exceed \$206,640 with two 12-month extension options in an estimated amount not to exceed \$103,320 per extension option, for a total estimated contract amount not to exceed \$413,280. Funding in the amount of \$60,270 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining seventeen months of the original contract period and extension options will be contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and

Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a requirements supply contract with DXI Industries, Inc. was approved.

60. Authorize award and execution of three 12-month requirements service contracts for grounds maintenance services with the following vendors: RED & WHITE GREENERY, Georgetown, TX, for services at Walnut Creek Wastewater Treatment Plant in an estimated amount not to exceed \$70,650, with two 12-month extension options in an estimated amount not to exceed \$70,650 per extension option, for a total estimated contract amount not to exceed \$211,950; SOUTHWEST KEY MAINTENANCE, Austin, TX, to provide services at South Austin Regional Wastewater Treatment Plant in an estimated amount not to exceed \$54,182, with two 12-month extension options in an estimated amount not to exceed \$54,182 per extension option, for a total estimated contract amount not to exceed \$162,546; and MESQUITE AND OAK LANDSCAPING, San Marcos, TX, to provide services at Hornsby Bend Biosolids Management Plant in an estimated amount not to exceed \$13,150, with two 12-month extension options in an estimated amount not to exceed \$13,150 per extension option, for a total estimated contract amount not to exceed \$39,450. Funding in the amount of \$103,487 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bids of seven bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting Opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of requirements service contracts with the following vendors was approved: Red and White Greenery Southwest Key Maintenance and Mesquite and Oak Landscaping.

61. Authorize award, negotiation, and execution of a 12-month requirements service contract with CSDC SYSTEMS, INC., St. Petersburg, FL, for maintenance and support of the AMANDA PIER (permitting, inspection, enforcement, and review) software system in an estimated amount not to exceed \$179,487.96, with four 12-month extension options in estimated amounts not to exceed \$317,354 for the first extension option, \$367,941 for the second extension option, \$317,341 for the third extension option, and \$335,685 for the fourth extension option, for a total estimated contract amount not to exceed \$1,517,809. Funding in the amount of \$179,487.96 is available in the Fiscal Year 2007-2008 Operating Budget of the Finance and Administrative Services Department, Communications and Technology Management. Funding for the extension options is contingent upon available funding in future budgets. Sole Source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

The motion authorizing the award, negotiation and execution of a requirements service contract with CSDC System, Inc. was approved.

62. Authorize award and execution of Amendment No. 5 to a contract with AUSTIN FREE-NET, Austin TX, to continue providing computer equipment, technical support, internet training, and internet access services to support public internet access for an additional 44-month period in an estimated amount not to exceed \$197,325, with two 12-month extension options in an estimated amount not to exceed \$53,816 per extension option, for a revised total estimated contract amount not to exceed \$564,937. Funding in the amount of \$35,878 is available in Fiscal Year 2007-2008 Approved Operating Budget of the Financial and Administrative Services Department. Funding for the remaining 36 months of the original contract

period and extension options is contingent upon available funding in future budgets. Contract amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This agreement is an exemption through Chapter 791 of the Texas Local Government Code and no goals were established for this contract. Recommended by the Austin Community Technology and Telecommunications Commission.

The motion authorizing the award and execution of amendment number 5 to a contract with Austin Free-Net was approved.

63. Authorize award and execution of a four-month requirements supply contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with GULF COAST PAPER COMPANY, Corpus Christi, TX for the purchase of janitorial paper supplies in an estimated amount not to exceed \$218,045, with three 12-month extension options in an estimated amount not to exceed \$600,065 for the first extension option, \$630,068 for the second extension option, and \$661,572 for the third extension option, for a total estimated contract amount not to exceed \$2,109,750. Funding in the amount of \$436,090 is available in the Fiscal Year 2007-2008 Operating Budget for various City Departments. Funding for the remaining eight months of the first extension option and the two other extension options is contingent upon available funding in future budgets. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a requirements supply contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Gulf Coast Paper Company was approved.

64. Authorize award and execution of five contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with: LONGHORN INTERNATIONAL TRUCKS, LTD., Austin, TX, for the purchase of 21 truck cab and chassis in an amount not to exceed \$2,526,155; RELIANCE TRUCK & EQUIPMENT LTD., San Antonio, TX, for the purchase of eight rear loading refuse collection bodies in an amount not to exceed \$428,461.60; HEIL OF TEXAS, Houston, TX, for the purchase of 13 automated refuse collection bodies in an amount not to exceed \$1,497,366.13, EQUIPMENT SOUTHWEST, Irving, TX, for the purchase of three dead end refuse collection bodies in an amount not to exceed \$164,845, and RUSH TRUCK CENTER, Houston, TX, for the purchase of three dead end truck cab and chassis in an amount not to exceed \$168,802. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Solid Waste Services Department. Cooperative Purchase This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) with the following companies was approved: Longhorn International Trucks, Ltd., Reliance Truck and Equipment Ltd., Heil of Texas, Equipment Southwest and Rush Truck Center.

65. Authorize award and execution of a contract with PIATRA, INC. (WBE-100%), Austin, TX, for paving and resurfacing services at Fleet Services' Service Center No. 6 in an amount not to exceed \$68,100. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Piatra, Inc. was approved.

66. Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with SANTEX TRUCK CENTERS, LTD., San Antonio, TX, for the purchase of three truck cab & chassis and mounted hot patch bodies in an amount not to exceed \$333,130. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a cooperative purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Santex Truck Centers, Ltd. was approved.

67. Authorize award and execution of a 36-month requirements supply contract with SUN COAST RESOURCES INC., Houston, TX for automotive gasoline and diesel fuel in an estimated amount not to exceed \$59,580,000, with three 12-month extension options in an estimated amount not to exceed \$23,958,000 for the first extension option, \$26,353,800 for the second extension option, and \$28,989,180 for the third extension option, for a total estimated contract amount not to exceed \$138,880,980. Funding in the amount of \$13,240,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services, Fleet Fund. Funding for the remaining 28 months of the original contract period and extension options is contingent upon available funding in future budgets. Overall lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Sun Coast Resources Inc. was approved.

68. Authorize award and execution of a contract with TRIAD MARINE & INDUSTRIAL SUPPLY, INC., Kemah, TX, for the purchase of four inflatable swift water rescue boats, four boat trailers, and six outboard engines in an amount not to exceed \$113,087.64. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Vehicle Acquisition Fund. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Triad Marine and Industrial Supply, Inc. was approved.

69. Authorize award and execution of a seven-month requirements service contract with HEALTH INSTITUTE, INC., Austin, TX, for maternal child health evaluation services in an estimated amount not to exceed \$85,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Health & Human Services Department Special Revenue Fund through the Texas Department of State Health Services grant for maternal child health programs. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a seven-month requirements service contract with Health Institute, Inc. was approved.

70. Authorize execution of a 12-month Interlocal Agreement with MONSTER, INC., and its affiliates, through the North Central Texas Council of Governments (NCTGOG), Arlington, TX, to provide

internet-based interactive job posting services in an estimated amount not to exceed \$20,000, with two 12-month extension options in an amount not to exceed \$25,000 per extension option, for a total estimated contract amount not to exceed \$70,000. Funding in the amount of \$13,333 is available in the Fiscal Year 2007-2008 Operating Budget of various departments. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.

The motion authorizing the execution of an interlocal agreement with Monster, Inc. and its affiliates, through the North Central Texas Council of Governments (NCTGOG) was approved.

71. Authorize award and execution of Amendment No. 2 to an Interlocal Agreement with AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER, Austin, TX, for the continuation of treatment services for certain Class B enhanced public intoxication offenders in an estimated amount not to exceed \$70,000 for a total revised contract amount not to exceed \$633,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Downtown Austin Community Court. Interlocal Agreement. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an interlocal agreement; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation.

The motion authorizing the award and execution of amendment number 2 to an interlocal agreement with Austin/Travis County Mental Health and Mental Retardation Center was approved.

72. Authorize negotiation and execution of Amendment No. 3 to an Interlocal Agreement with the University of North Texas (UNT) for a native vegetation restoration project to be conducted in Lake Austin and Lady Bird Lake for prevention of nuisance hydrilla growth in an estimated amount not to exceed \$110,000, for a revised total estimated contract amount not to exceed \$315,000. Funding in the amount of \$110,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection Development Review Department. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

The motion authorizing the negotiation and execution of amendment number 3 to an interlocal agreement with the University of North Texas (UNT) was approved.

73. Approve an ordinance authorizing the acceptance of Capital Area Council of Governments (CAPCOG) grant funds of \$40,000 under the 2008 Regional Solid Waste Grant Program; and amending the Fiscal Year 2007-2008 Operating Budget, Solid Waste Services Department Special Revenue Fund, of Ordinance No. 20070910-003 to appropriate \$40,000 to the Household Hazardous Waste Facility Activity of the Waste Diversion Program to support a North Austin satellite collection station. Funding is available from CAPCOG and Texas Commission on Environmental Quality under the 2008 Regional Solid Waste Grant Program.

Ordinance No. 20080131-073 was approved.

74. Approve an ordinance amending Ordinance No. 20080110-070 to expand the list of prior general obligation bond obligations eligible to be refunded and approving the bond purchase agreement.

Ordinance No. 20080131-074 was approved.

75. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
This item was withdrawn from the agenda because there were no appointments.
76. Approve a resolution establishing a Live Music Task Force to address issues of concern to both those whose livelihoods depend on live music as well as those affected by live music and make recommendations regarding policies Austin should implement regarding the live music industry. (Mayor Will Wynn Council Member Sheryl Cole Council Member Mike Martinez)
Resolution No. 20080131-076 was approved.
77. Approve a resolution directing the City Manager to work with the landowners on the north side of Spicewood Springs Road between Low Water Crossing numbers 1 and 2 and Low Water Crossing numbers 3 and 4 to secure the needed easements for extending the Upper Bull Creek Greenbelt and report back to City Council in 90 days (Council Member Lee Leffingwell Mayor Will Wynn)
Resolution No. 20080131-077 was approved.
78. Approve a resolution directing the City Manager to work with Travis County to begin the steps needed to implement a Tax Increment Financing (TIF) Reinvestment Zone in all or portion of the Homestead Preservation District. (Council Member Mike Martinez Mayor Will Wynn Council Member Sheryl Cole)
Resolution No. 20080131-078 was approved.
79. Approve a resolution directing the City Manager to work with stakeholders in the Mueller community to develop a Healthy Community Initiative Plan that will encourage healthy behaviors, and to include an implementation budget and ways to measure behaviors and health outcomes. (Council Member Jennifer Kim Council Member Sheryl Cole)
Resolution No. 20080131-079 was approved.
80. Approve a resolution directing the City Manager to develop a pilot plan, including a cost assessment for implementation and continuation, to assist small local retail businesses considering expanding to multiple sites, and to bring the plan back to Council within 60 days. (Council Member Jennifer Kim Council Member Sheryl Cole)
Resolution No. 20080131-080 was approved.
81. Approve a resolution directing the City Manager to enter into discussions regarding the release of land from the City of Austin's extraterritorial jurisdiction for the proposed Villa Muse Development. (Council Member Mike Martinez Mayor Will Wynn Council Member Sheryl Cole)
Resolution No. 20080131-081 was approved.
82. Approve waiver of the signature requirement under Chapter 14 of the Code for the Boy Scouts of America Capital Area Council's Report to State Parade to be held on February 2, 2008. (Council Member Brewster McCracken Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole)
The motion approving the waiver of the signature requirement for the Boy Scouts of America Capital Area Council's Report to State Parade was approved.
83. Approve waiver of street closure fees under Chapter 14 of the Code for the Violet Crown Community Works Organization's "Wall of Welcome Project" Dedication ceremony to be held on March 29, 2008 on Woodrow Avenue. (Mayor Pro Tem Betty Dunkerley Council Member Lee Leffingwell Council Member Brewster McCracken)

The motion approving the waiver of street closure fees for the Violet Crown Community Works Organization's "Wall of Welcome Project" dedication ceremony was approved.

Item 84 was a briefing item set for 10:30 a.m.

Items 85 through 89 were Executive Session items.

Item 90 was a briefing item set for 2:00 p.m.

Items 91 through 131 were zoning items set for 4:00 p.m.

Items 132 through 138 were public hearing items set for 6:00 p.m.

BRIEFING

84. Presentation and update on the 51st Street Water Tower.
The presentation was made by Rudy Garza, Assistant City Manager, and Greg Meszaros, Director, Austin Water Utility.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:28 a.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Item 85 was discussed later in Executive Session.

86. Discuss legal issues related to arbitration of annexation service plan for the Peninsula Annexation area (approximately 432 acres located west of Lake Austin, north of Bee Creek, and south of the intersection of Westlake Drive and Trailview Mesa); and Lost Creek Municipal Utility District v. City of Austin, et al, Cause No. D-1-GN-001377, in the 126th Judicial District Court, Travis County (concerns issues related to water and wastewater contract and annexation, and arbitration of Strategic Partnership Agreement). (Lost Creek MUD includes approximately 788 acres located in the vicinity of Loop 360 and Lost Creek Blvd.). (Private Consultation with Attorney - Section 551.071).
87. Discuss legal issues relating to the Seaholm Power Plant building and property on West Cesar Chavez Street (Private Consultation with Attorney - Section 551.071).
This item was withdrawn from the agenda.

Item 88 was discussed later in Executive Session.

89. Discuss legal issues related to Austin Water Utility Customer Damages Reimbursement Fund. (Private Consultation with Attorney-Section 551.071).

Executive session ended and Mayor Pro Tem Dunkerley called the meeting back to order at 12:10 p.m.

CITIZEN COMMUNICATION: GENERAL

Fred Shuffield - Complaint about Austin Police Department -- He was not present when his name was called.

Paul Robbins - City Issues -- He was not present when his name was called.

Rachael Daigle - Nuclear Energy Issues

Paul Avina - Prostitution

Brett Denton - Affordable Housing Incentive Task Force Ordinance

G. Pena -TBA

Pat Johnson - Injustice by Council & Developer's

Ken Vasseau - Candidacy of Place 4 - City Council

Jennifer Gale – It's OK to cry. Your home is being bulldozed as an investment property.

Mayor Pro Tem Dunkerley recessed the Council Meeting to go into Executive Session at 12:37 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

- 85. Discuss legal issues related to the transition of the Community Care Services clinic system and employees to the Travis County Healthcare District. (Private Consultation with Attorney - Section 551.071).
- 88. Discuss the proposed sale or lease of the Seaholm Power Plant building and property on West Cesar Chavez Street for redevelopment. (Real Property - Section 551.072).

Executive session ended at 2:00 p.m.

Mayor Pro Tem Dunkerley called the meeting back to order at 2:11 p.m.

BRIEFING

- 90. Staff briefing and update on the Waller Creek project.
The presentation was made by Rudy Garza, Assistant City Manager; Joe Pantalion, Deputy Director, Watershed Protection and Development; Kimberly Springer, Public Information Specialist, Public Works Department; and Jim Robertson, Manager of Development Services, Neighborhood Planning and Zoning Department.

Mayor Wynn recessed the Council Meeting at 2:39 p.m.

Mayor Wynn called the Council Meeting back to order at 4:18 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

91. C14-06-0144 - Rancho Alto 1 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of Frate Barker Road and Rancho Alto Road (Bear Creek and Slaughter Creek Watersheds) from interim-rural residence (I-RR) combining district zoning and interim-single-family residence-standard lot (SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning for Tract 1; and neighborhood commercial (LR) district zoning for Tract 2 with conditions. First reading approved on February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Calson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080131-091 for single-family residence-standard lot (SF-2) district zoning for Tract 1 and neighborhood commercial (LR) district zoning for Tract 2 with conditions was approved.
92. C14-06-0145 - Rancho Alto 2 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12220-12222 Rancho Alto Road (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080131-092 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
93. C14-06-0146 - Rancho Alto 3 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1900-1920 Ralph Cox Road; 11800-11916 Dave Silk Drive (Bear Creek Watershed) from interim single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved on February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080131-093 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
94. C14-06-0148 - Rancho Alto 5 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1800-1820 Ralph Cox Road; 11801-12229 and 12220-12224 Buzz Schneider Lane; 1609-1641 Pavelich Pass; 12116-12124 Verchota Drive (Bear Creek and Slaughter Creek Watersheds) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved on February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080131-094 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
95. C14-06-0150 - Rancho Alto 7 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12113 Verchota Drive; 1600-1628 Pavelich

Pass; 1701 Strobel Lane (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-095 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

96. C14-06-0151 - Rancho Alto 8 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1813-1913 Ralph Cox Road; 1800-1824 Bill Baker Drive (Bear Creek and Slaughter Creek Watersheds) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-096 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

97. C14-06-0152 - Rancho Alto 9 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1801-1825 Bill Baker Drive; 1700-1724 O'Callahan Drive (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning with conditions. First reading approved February 15, 2007. Vote: 7-0. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-097 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

98. C14-2007-0191 - Anderson Mill Children's Courtyard Day Care - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9706 Anderson Mill Road from development reserve (DR) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Sundance Southwest Development, LLC (Carl E. Greer). Agent: Vaughn & Associates (Rick Vaughn). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20080131-98 for limited office-conditional overlay (LO-CO) combining district zoning with conditions was approved.

99. C14-2007-0129 Cumberland Residential - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from multi-family residence-limited density (MF-1) district zoning and multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: Salvation Army (Major Stephen Ellis). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Robert Heil, 974-2330. **This item was postponed to February 14, 2008 at the staff's request.**

100. C14-2007-0218 - 620/183 Limited Partnership - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-10704 Lakeline Mall Drive (Lake Creek Watershed) from community commercial-mixed use (GR-MU) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Applicant: 620/183 Limited Partnership (Fred

Thomas). Agent: Smith, Robertson, Elliott, Glen, Klein & Bell, LLP (David Hartman). City Staff: Sherri Sirwaitis, 974-3057.

The second reading of the ordinance for multi-family residence-moderate-high density (MF-4) district zoning was approved. Staff was directed to incorporate in the final draft of the ordinance the green building restrictions offered by the developer.

101. C14-2007-0211 - Clear Water at Riata - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701-5725 Diehl Trail (Walnut Creek Watershed) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. First reading approved on January 10, 2008. Vote: 7-0. Applicant: Milwood Land Acquisition, LP (Wayne Harris). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20080131-101 for multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning was approved prohibiting construction of structures within a limited area as the neighborhood had requested.

102. C14-2007-0084 - Elm Terrace - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough North Watershed) from unzoned and family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. First reading approved on November 29, 2007. Vote: 7-0. Applicant: Austin Elm Terrace, LP (Steve D. Buerlein). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jorge E. Rousselin, 974-2975.

This item was postponed to February 14, 2008 at the applicant's request.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

103. C814-2007-0163 - The Venue at Lake Travis - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6710 North FM 620 Road (Lake Travis Watershed) from unzoned land, interim-single-family residence (I-SF-2) district zoning and development reserve (DR) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To deny planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To withdraw at the request of the applicant. Applicant: MCPMT Ltd. (Richard Burratti); Joseph Trustees and The Jomar Joseph Partners Ltd. (John M. Joseph); Thomas W. Schulze, Attorney in fact (Daphene Clark). Agent: Clark, Thomas and Winters, P.C. (Kelly Cannon). City Staff: Jorge E. Rousselin, 974-2975.

This item was withdrawn by the applicant.

104. C14-2007-0108 - Camden North Lamar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5300, 5304 and 5400 North Lamar Boulevard (Waller Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Planning Commission Recommendation: To grant an indefinite postponement.

Applicant: 5400 Lamar Ltd. (Abe Zimmerman). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.

This item was postponed indefinitely and removed from the agenda.

105. C14-2007-0237 - Old West Austin Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Old West Austin Neighborhood Planning Area, bounded by Enfield Road on the north, North Lamar Boulevard on the east, Lady Bird Lake on the south, and North MoPac Expressway on the west (Town Lake Watershed, Shoal Creek Watershed, Johnson Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Old West Austin Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on February 12, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

This item was postponed to February 28, 2008 at the staff's request.

106. C14-2007-0259 - Govalle-Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Govalle-Johnston Terrace Combined Neighborhood Planning Area, bounded by the Austin and Northwestern Railroad on the north, U.S. 183 on the east, the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (East Boggy Creek, Colorado River, Fort Branch and Tannehill Branch watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Govalle-Johnston Terrace Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on February 12, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

This item was postponed to February 28, 2008 at the staff's request.

107. C14-2007-0262 - Central Austin Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Central Austin Combined Neighborhood Planning Area, bounded by 38th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, excluding the University of Texas at Austin campus, and Lamar Boulevard and 45th Street on the west (Shoal Creek, Waller Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Central Austin Combined Neighborhood Planning Area from the overlay district.

Planning Commission Recommendation: To be reviewed on February 12, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

This item was postponed to February 28, 2008 at the staff's request.

108. NPA-2007-0016.02 - The Govalle Land - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single-family to multi-family for property located on a portion (0.775 AC) of 1.97 AC of OLT 44 Division A - Tract 1 (known locally as 1100 Linden St.); and from multi-family to single-family on a portion of (0.865 acres) of 1.41 AC OLT 43 Division A - Tract 2 (known locally as 1100 Linden St.)(Boggy Creek Watershed). Staff Recommendation: To recommend multi-family designation for Tracts 1 and 2. Planning Commission Recommendation: To withdraw at the request of the applicant. Applicant and Agent: Govalle/Johnston Terrace Neighborhood Planning Team and Michael Casias with Govalle Partners, Ltd. City Staff: Kathleen Fox, 974-7877.
This item was withdrawn by the applicant.
109. C14-2007-0146.SH - The Govalle Land - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 Linden Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning; and multi-family residence-medium density (MF-3-NP) combining district zoning to single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning; and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To grant single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning; and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning; and A multi-family residence-medium density density-neighborhood plan (MF-3-NP) combining district zoning.applicant: Govalle Partners Ltd. Agent: Michael Casias. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning and multi-family residence-medium density density-neighborhood plan (MF-3-NP) combining district zoning was approved.
110. C14-06-0147 - Rancho Alto 4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1701-1805 O'Callahan Drive and 1700 McClannahan Drive (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Intermandeco GP, LLC (Issam Karanouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080131-110 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
111. C14-06-0149 - Rancho Alto 6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1701 McClannahan Drive; 1700 Strobel Lane (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with

conditions. Applicant: Intermandeco GP, LLC (Issam Karamouh). Agent: Carlson, Brigance & Doering, Inc. (Steve P. Cates). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-111 for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

112. C14-86-301(RCA) - Springfield - Conduct a public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for the property locally known as East William Cannon Drive, McKinney Falls Parkway and Colton Bluff Springs Road (Cottonmouth Creek; Onion Creek and Marble Creek Watersheds). Staff Recommendation: To amend the restrictive covenant with conditions. Zoning and Platting Commission Recommendation: To amend the restrictive covenant with conditions. Applicant: RKS Texas Investments (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

The motion to amend the restrictive covenant was approved.

113. C14-2007-0215A - Springfield 7 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as East William Cannon Drive, west of McKinney Falls Parkway (Cottonmouth Creek and Onion Creek Watersheds) from single-family residence-standard lot (SF-2) district zoning; multi-family residence-low density (MF-2) district zoning; neighborhood commercial (LR) district zoning; and community commercial (GR) district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multi-family residence-medium density (MF-3) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning with conditions. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-113 for multi-family residence-medium density (MF-3) district zoning with conditions was approved.

114. C14-06-0215D - Springfield 11 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the southwest corner of East William Cannon Drive and McKinney Falls Parkway (Marble Creek Watershed) from single-family residence-standard lot (SF-2) district zoning; single-family residence-small lot (SF-4A) district zoning; multi-family residence-low density (MF-2) district zoning; and community commercial (GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-114 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.

115. C14-06-0215C - Springfield 12 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northwest corner of East William Cannon Drive and McKinney Falls Parkway (Cottonmouth Creek and Onion Creek Watersheds) from multi-family residence-low density (MF-2) district zoning; community commercial (GR) district zoning and warehouse-limited office (W/LO) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-115 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions was approved.

116. C14-06-0215B - Springfield 14 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the west side of Jane's Ranch Road (Marble Creek Watershed) from limited office (LO) district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multi-family residence-medium density (MF-3) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning with conditions. Applicant: RKS Texas Investments, L.P. (Rick Sheldon). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20080131-116 for multi-family residence-medium density (MF-3) district zoning with conditions was approved.

117. NPA-2007-0003.01 - 1309 Chicon Development - Conduct a public hearing and approve an ordinance amending Ordinance No. 990715-113, the Chestnut Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from commercial to mixed use for property located at 1309 Chicon Street, (LOT 9 & 10, BLK 8, OLT 34, Division B). Staff Recommendation: To approve mixed use designation. Planning Commission Recommendation: To approve mixed use designation. Applicant and Agent: Jonathan Jensen. City Staff: Maureen Meredith, 974-2695.

The first reading of the ordinance to change the land use designation to mixed use on the future land use map (FLUM) was approved.

118. C14-2007-0136 - 1309 Chicon Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1309 Chicon (Boggy Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant and Agent: Jonathan Jensen. City Staff: Robert Heil, 974-2330.

The first reading of the ordinance for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning was approved.

119. C14-04-0196.02 - The Enclave - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to amend the Hyde Park North neighborhood conservation combining district (NCCD). Staff Recommendation: To grant multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning to amend the Hyde Park North neighborhood conservation combining district (NCCD). Planning Commission Recommendation: To grant multi-family residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning. Applicant and Agent: Reland Texas, L.P. (Michael Beardsley). City Staff: Glenn Rhoades, 974-7715.

Ordinance No. 20080131-119 for multi-family residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning was approved.

120. C14-2007-0092 - 21C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 San Jacinto Blvd. (Town Lake/Waller Creek Watersheds) from central business district (CBD) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Applicant: Brazos REI POE (Matthew Hooks). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to February 28, 2008 at the applicant's request.
121. C14-2007-0212 - 907 Rio Grande - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 907 Rio Grande Street (Waller Creek Watershed) from multi-family residence-moderate high density (MF-4) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning with conditions. Applicant: Robert L. Gage Revocable Trust (Robert L. Gage). Agent: Thomas C. Fagerberg, Attorney at Law (Robert C. Fagerberg). City Staff: Jorge E. Rousselin, 974-2975.
The first reading of this ordinance for limited office-mixed use (LO-MU) combining district zoning with conditions was approved.
122. C14-2007-0249 - Block 21 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 West 2nd Street and 200 Lavaca Street (Town Lake Watershed) from central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning to central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning to change a condition of zoning. Applicant: CJUF II Stratus Block 21 LLC (W.H. Armstrong III). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge Rousselin, 974-2975.
Ordinance No. 20080131-122 for central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning to change a condition of zoning was approved.
128. C14H-2007-0017 - Dorothy Nichols Duplex - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1206 Lorrain Street (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Staff recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Planning Commission recommendation: To be reviewed on January 29, 2008. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
This item was postponed to February 28, 2008 at the neighborhood's request.

129. C14H-2007-0028 - Burch-Jackson House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1706 Canterbury Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Staff recommendation: To deny family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
This item was postponed to February 14, 2008 at the owner's request.
131. C814-06-0202 - PIER Partners - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1703 River Hills Road (Lake Austin Watershed) from commercial-liquor sales (CS-1) district zoning and Lake Austin residence (LA) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Pier Partners LP (Eric Moreland). Agent: Clark, Thomas & Winters, PC (John Joseph). City Staff: Jorge Rousselin, 974-2975.
This item was postponed to February 28, 2008 at the neighborhood's request.

ZONING DISCUSSION ITEMS

126. NPA-2007-0005.01 - Jockey Tract - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05, the Montopolis Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from commercial and mixed residential to industry for the property located at 912 Bastrop Hwy (Carson Creek Watershed). Staff Recommendation: To approve industrial land use designation. Planning Commission Recommendation: To grant industrial land use designation. Applicant: Montopolis Neighborhood Contact Team. Agent: William "Bill" Faust. City Staff: Victoria Craig, 974-2857.
The public hearing was closed and Ordinance No. 20080131-126 for industrial land use designation was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.
127. C14-2007-0186 - Jockey Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 912 Bastrop Hwy (Carson Creek Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning; and single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Staff Recommendation: To grant industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Planning Commission Recommendation: To grant industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Agent: William "Bill" Faust. City Staff: Robert Heil, 974-2330.
The public hearing was closed and Ordinance No. 20080131-127 for industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.
123. C14-2007-0235 - Judges' Hill Neighborhood Association (Portion of Downtown Planning Area) Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an

ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Judges' Hill Neighborhood Association (Portion of Downtown Planning Area), bounded by Martin Luther King, Jr. Boulevard on the north, West Avenue on the east, 15th Street on the south, and Shoal Creek on the west (Shoal Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Judges' Hill Neighborhood Association (Portion of Downtown Planning Area) from the overlay district. Planning Commission Recommendation: To exclude all properties from the overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975. A valid petition has been filed for three of the four tracts in opposition to being excluded from the Vertical Mixed Use (VMU) overlay district.

The public hearing was closed and the first reading of the ordinance adopting VMU zoning and associated development incentives and making them eligible for the affordable housing density bonus for Tracts 1-4, as presented by staff, was approved on Mayor Pro Tem Dunkerley's motion, Council Member Martinez's second on a 6-1 vote. Council Member Leffingwell voted nay.

Mayor Wynn recessed the Council Meeting at 5:39.

LIVE MUSIC

George Enslie

PROCLAMATIONS

Distinguished Service Award -- Juan Garza-- to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Proclamation -- Black History Month -- to be presented by Mayor Will Wynn and to be accepted by Dr. Charles Akins and Vonnys Rice-Gardner

Proclamation -- Go Red for Women Month -- to be presented by Council Member Jennifer Kim and to be accepted by Joel Romo

Mayor Wynn called the Council Meeting back to order at 6:37 p.m.

PUBLIC HEARINGS

137. Conduct a public hearing and consider an ordinance amending Chapter 25-6 of the City Code to require sidewalks for new buildings, major additions to buildings, and relocated buildings; to provide for administrative waivers from sidewalk installation requirements; and to allow a person to pay into a sidewalk fund instead of installing a sidewalk. Recommended by the Planning Commission.
This item was postponed to February 14, 2008 on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 4-0 vote. Council Members Cole, Kim and Leffingwell were off the dais.

ZONING DISCUSSION ITEMS CONTINUED

124. C14-2007-0258 - East MLK Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the East MLK Combined Neighborhood Planning Area, bounded by Loyola Lane, Ed Bluestein Boulevard and Little Walnut Creek on the north, the former Missouri-Kansas right-of-way on the east, the Austin and Northwestern Railroad on the south, and Airport Boulevard, Anchor Lane and Manor Road on the west (East Boggy Creek, Tannehill Branch, Fort Branch, Walnut Creek, and Little Walnut Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the East MLK Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To exclude all tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Rhoades, 974-7719.
This item was postponed to February 28, 2008 on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.
125. C14-2007-0263 - Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Hyde Park Neighborhood Planning Area, bounded by 51st Street to the north, Red River to 45th Street to Duval Street to the east; 38th Street to the south and Guadalupe Street to 47th Street and along Waller Creek to the south (Waller Creek watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Hyde Park Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975.
This item was postponed to February 28, 2008 on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.
130. C14H-2007-0031 - Henry Colley House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 718 Norwalk Lane (Lake Austin Watershed) from family residence (SF-3) district zoning to family residence- Historic (SF-3-H) combining district zoning. Staff recommendation: To deny family residence-historic (SF-3-H) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Planning Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
The public hearing was closed and the first reading of the ordinance for family residence-historic (SF-3-H) combining district zoning was approved on Council Member Cole's motion, Council Member Leffingwell's second on a 4-3 vote. Those voting aye were: Council Members Cole, Kim, Leffingwell, and Martinez. Those voting nay were: Mayor Wynn, Mayor Pro Tem Dunkerley and Council Member McCracken. Staff was directed to have the ordinance ready for second and third readings on February 14, 2008.

PUBLIC HEARINGS CONTINUED

132. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code relating to affordable housing development incentives. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20080131-132 was approved with the following amendments on Council Member Kim's motion, Council Member Leffingwell's second on a 7-0 vote. The amendments were: In Part 3, Section 25-2-586 (A) should read, " (A) This section applies to a residential, commercial, or a mixed used development that is located in a central business district (CBD) zoning district or, in the manner determined by the City Council in a zoning ordinance, downtown mixed use (DMU) zoning district only."
- In Part 3, Section 25-2-586 (D) needs to specify the following waivers: All City development fees, capitol recovery fees, subdivision application fees, zoning application fees, site plan application fees and inspection fees (including environmental and water/wastewater) as authorized under SMARAT Housing; and water meter, sewer tap, right of way closures, and license fees, but does not include parkland dedication fees. In addition, the director shall expedite or cause to be expedited the processing of all City applications, permits, approvals and other entitlements relating to the project, including without limitation license agreements and site plan approval, if the requirements of this subsection are met.
- In Part 3, Section 25-2-586 (D) (1) (a), should read, "provide affordable housing or pay the fee prescribed by Subsection (C) at the time of the issuance of the Certificate of Occupancy, or."
- In Part 3, Section 25-2-586 (I), after the words "Consumer Price Index" insert, "all Urban Consumers, US City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor."
133. Conduct a public hearing and consider an ordinance amending Section 12-5-29 of the City Code relating to parking in the front or side yards of a residential property. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20080131-133 was approved with the following amendment on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote. Council Member Martinez' amendment was that all notices about opting in/out be printed in both English and Spanish.
138. Conduct a public hearing and consider an ordinance amending the residential service tariff in the Electric Rate Schedule in Exhibit A of Ordinance No. 20070910-008 to exclude on an optional basis any church, synagogue or other place of public group religious worship services having a demand for power sufficient to qualify for service under the general service - demand (E06) tariff. Recommended by the Electric Utility Commission.
The public hearing was closed and Ordinance No. 20080131-138 was approved on Council Member Cole's motion, Council Member McCracken's second on a 7-0 vote.
134. Conduct a public hearing and consider an ordinance amending Section 25-2-812 of the City Code relating to Mobile Food Establishments. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20080131-134 was approved on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote. Staff indicated all notices will be printed in both English and Spanish.

135. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code to add new permitted uses to the Neighborhood Commercial (LR) zoning district. Recommended by Planning Commission.
The public hearing was closed and Ordinance No. 20080131-135 was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 6-1 vote. Council Member Kim voted nay.
136. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code related to residential uses in mixed use buildings. Recommended by Planning Commission.
The public hearing was closed and the first reading of the ordinance was approved on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote. Direction was given to staff to include the following in the final ordinance, 1) horizontal buildings must contain residential and 2) 50% of the occupied space above the ground floor in vertical buildings must be residential.

Mayor Wynn adjourned the meeting at 9:50 p.m. without objection.

The minutes for the Regular Meeting of January 31, 2008 were approved on this the 14th day of February 2008 on Council Member Martinez' motion, Council Member Cole's second on a 6-0 vote. Council Member Kim was absent.